



HOUSE OF REPRESENTATIVES

HB 2190

~~schools, common core, replacement~~

NOW: replacement; common core; schools

Sponsors: Representatives Finchem, Barton, Lawrence, et al.

DPA/SE Committee on Education

X Caucus and COW

House Engrossed

OVERVIEW

HB 2190 requires the Arizona State Board of Education (SBE) to redevelop the statewide academic standards.

Summary of the Proposed Strike-Everything Amendment to HB 2190

The proposed strike-everything amendment to HB 2190 establishes a process for SBE to redevelop the statewide academic standards and assessments, establishes a steering committee to collaborate with SBE on the creation of new standards and places restrictions on the use of student data.

HISTORY

SBE is required to adopt a minimum course of study and competency requirements for the promotion of children from grade to grade that incorporate the academic standards in at least reading, writing, math, science and social studies (Arizona Revised Statutes §§ 15-701 and 15-701.01). On June 28, 2010, SBE adopted new standards in Math and English Language Arts and Literacy called Arizona's College and Career Ready Standards. The required statewide assessment for the old standards is being phased out and the new assessment named AzMERIT is being phased in beginning in the Spring of 2015.

More information about the standards may be found on <http://www.azed.gov/standards-practices>.

PROVISIONS

Statewide Academic Standards and Assessments

1. Prohibits SBE from adopting and the Arizona Department of Education (ADE) from implementing the following:
 - a. Common Core Standards.
 - b. Arizona College and Career Ready Standards.
 - c. Any standards from a third-party provider that are aligned with standards or assessments proposed by the Partnership for Assessment of Readiness for College and Careers.
 - d. Any standards or assessments that are the same or substantially similar to standards or assessments used by 20 or more other states.
2. Declares any previous action taken to adopt or implement any of the previous standards or assessments to be void.
3. Establishes the Arizona Education Standards Steering Committee (Steering Committee) within ADE.

4. Requires the Steering Committee to adopt and SBE to administer the Arizona Education Standards for the state's public schools.
5. Prohibits appointed and elected officials from joining any consortium, association or other entity on behalf of the state or a state agency if membership would require the state to cede any measure of control over education, including academic content standards and assessments.
6. Requires SBE, in collaboration with the Steering Committee, to:
 - a. Provide public notice of any proposed adoption or revision of academic content standards on ADE's website.
 - b. Request comments on proposed changes from the general public, including parents, teachers, experts and representatives of political, educational, faith-based and nonpartisan policy organizations.
 - c. Accept all public comments submitted within 60 days of the public notice.
7. Prohibits SBE, in collaboration with the Steering Committee, from adopting or revising any academic content standards until public meetings are held in each Congressional District in the state.
 - a. Requires SBE to post a notice of each public meeting on ADE's website and in a newspaper of general circulation in the respective Congressional District.
8. Directs SBE, in collaboration with the Steering Committee, to adopt areas of subject matter standards that are subject to legislative review and approval beginning in School Year (SY) 2016.
9. Requires the subject matter standards to be implemented in every public school in the state.
10. Determines any SBE revisions to the standards to be subject to legislative review and approval.
11. Requires SBE, in collaboration with the Arizona Board of Regents (ABOR) and the Steering Committee, to adopt subject matter standards by August 1, 2017, in English Language Arts, American History, Science and Math to replace the previous standards.
 - a. Directs ADE and ABOR to evaluate the standards.
 - b. Requires the standards to address the goals of reducing the need for remedial postsecondary coursework and increase the completion of a postsecondary education.
 - c. Determines that the adopted subject matter standards and corresponding assessments are to be approved and controlled solely by the state through SBE.
12. Directs SBE, in collaboration with the Steering Committee, to begin the process of adopting new standards in the required areas on the effective date of this act.
13. Requires reasonable opportunity, consistent with best practices, for public comment on the revisions of the standards, including specified persons.
14. Instructs SBE to implement the standards that were in place on May 31, 2010, in English Language Arts, American History, Science and Math until the statewide student assessments for those areas are implemented.
15. Requires SBE to seek certification from ABOR on the effective date of this act that the subject matter standards in English Language Arts, American History, Science and Math that were in place on May 31, 2010, are college and career ready as defined in the Elementary

and Secondary Education Act flexibility document issued by the United States Department of Education (ED).

- a. Instructs ABOR to provide to SBE a detailed description of the certification process and results, including a list of deficiencies if ABOR deems the standards are not college and career ready.
16. Directs SBE to post on ADE's website all documents, materials, reports, descriptions and correspondence produced or used by ABOR in the certification process.
17. Requires SBE, in collaboration with the Steering Committee and consultation with ABOR, to direct the process of developing annual high-quality statewide student assessments that align with the adopted college and career ready subject matter standards by SY 2019.
18. Requires statewide student assessments to continue to assess standards and objectives in the standards that were in place on May 31, 2010, and continue to align to those standards and objectives until the replacement assessments are implemented.
19. Prohibits SBE from entering into any agreement, memorandum of understanding or contract with a federal agency or private entity that cedes or limits state discretion and control over the process of developing, adopting or revising subject matter standards and the corresponding assessments in the public school system, including agreements in exchange for funding.
 - a. Requires SBE to initiate efforts to amend any agreement existing that is in conflict with this section on the effective date of this act.
 - b. Stipulates that this requirement does not prohibit SBE from seeking and being granted a federal waiver if the conditions for the waiver do not cede or limit control over the process of developing, adopting or revising standards and assessments.
20. Permits ADE to participate in a multistate or multi-governmental cooperative.
 - a. Prohibits ADE from binding the state contractually or otherwise to the authority of any other state, organization or entity that supersedes SBE's authority.
21. Instructs the content of all subject matter standards and corresponding assessments to be approved and controlled solely by the state through SBE in collaboration with the Steering Committee.
22. Requires SBE, in collaboration with the Steering Committee, to maintain independence of all subject matter standards and corresponding assessments and prohibits the relinquishment of authority over standards and assessments.
 - a. Exempts the benchmarking of standards and assessments with those of other states or nations to allow for comparisons of Arizona's standards and assessments.
23. Directs school districts and charter schools to determine the instruction, curricula, reading lists, instructional materials and textbooks to be used in meeting the Arizona Education Standards.
24. Allows school districts and charter schools to adopt supplementary assessments that are in addition to the state assessments.
25. Instructs SBE, in collaboration with the Steering Committee, to compare the adopted standards with the previous standards in the specified areas.
26. Requires SBE to consider public comments, the use of best practices, evidence and research in the evaluation of both sets of standards when comparing the standards.

27. Directs SBE and the Steering Committee, on completion of the standards comparison, to submit a report outlining the results of the comparison to the Speaker of the House of Representatives, the President of the Senate, the House Minority Leader, the Senate Minority Leader and the Governor.
28. Requires all subject matter standards and corresponding assessments to be carefully circumscribed to reflect direct application to subject matter proficiency.
29. Prohibits subject matter standards and corresponding assessments from collecting or measuring non-cognitive, emotional or psychological characteristics, attributes or skills.
30. Directs SBE to amend or repeal any rule in conflict with the requirements of this act.
31. Defines *English Language Arts*.

Arizona Education Standards Steering Committee

32. Prohibits SBE from adopting or revising any standards until the proposed standards or revisions are approved by the Legislature and the appropriate Steering Committee subcommittee.
33. Requires SBE to propose any new or revised standards to the Steering Committee prior to seeking legislative review and approval.
34. Mandates Steering Committee meetings be open to the public, including subcommittee meetings.
35. Establishes the following 13-member Steering Committee membership:
 - a. The Governor or his/her designee.
 - b. Four parents of children in public schools, two appointed by the Speaker of the House of Representatives and two appointed by the President of the Senate.
 - c. Two persons with expertise in information technology, one appointed by the Speaker of the House of Representatives and one appointed by the President of the Senate.
 - d. Six persons who are either high school teachers or university instructors that meet qualifications, three appointed by the Speaker of the House of Representatives and three appointed by the President of the Senate.
36. Requires the Steering Committee to:
 - a. Select a chairperson and co-chairperson.
 - b. Select four persons to oversee the development of standards documents who understand and are able to use subject-specific symbols.
 - i. Permits ADE and SBE to provide assistance to these persons.
 - c. Contract, if necessary, with a person who has a national reputation in academic content standards and assessments to facilitate the Steering Committee's work.
 - d. Establish a separate subcommittee for English Language Arts, American History, Science and Math.
 - e. Select a chairperson for each subcommittee by a majority vote.
 - i. Requires each chairperson to be an instructor in a related subject area in a university or a community college.
37. Instructs each subcommittee to be composed of teachers with at least 10 years of teaching experience.
38. Limits each subcommittee to five members.

39. Permits a school librarian to be selected to provide technical assistance to the English Language Arts subcommittee.
40. Permits an engineer to be selected to provide technical assistance to the math and science subcommittees.
41. Directs each subcommittee to approve or disapprove of the academic content standards for the appropriate subject area.
42. Requires subcommittees to obtain comments from teachers on the appropriateness and wording of the proposed standard for each grade and, if necessary, offer revisions on the proposed standards.
 - a. Directs the comments to be recorded and transcribed.
43. Sunsets the Steering Committee on July 1, 2023.

Legislative Review of the Standards

44. Determines all subject matter standards and revisions adopted by SBE, in collaboration with the Steering Committee, to be subject to legislative review.
 - a. Prohibits the implementation of standards until the legislative review process is complete.
45. Directs SBE, on adoption of any subject matter standards, to submit the standards to the Speaker of the House of Representatives and the President of the Senate at least 30 days before the opening day of the next Regular Session or, if needed to give SBE additional time to adopt the standards, a Special Session called for this purpose.
46. Instructs the Legislature to adopt legislation that takes one of the following actions relating to the standards:
 - a. Approve.
 - b. Disapprove, in part or in whole.
 - c. Amend, in part or in whole.
 - d. Disapprove, in part or in whole, with corresponding instructions to SBE.
47. Deems the standards approved if the corresponding legislation is vetoed and the Legislature does not override the veto or if the Legislature fails to adopt legislation within 30 days of the opening of the respective legislative session.
48. Permits SBE, in collaboration with the Steering Committee, to adopt and submit new standards for legislative review if the proposed standards are disapproved in whole or in part or with instructions.
49. Instructs SBE to continue to implement the current standards until new standards have been reviewed and approved by the Legislature.
 - a. Permits SBE, in collaboration with the Steering Committee, to revise standards that were amended or disapproved by the Legislature in accordance with the legislative changes and implement the revised standards.
50. Requires introduced legislation to be limited to the provisions necessary for approving, disapproving, amending or disapproving with instructions and any other direction regarding the standards deemed necessary, unless otherwise provided for by a specific vote of the Legislature.
 - a. Prohibits the legislation from containing other provisions.

Student Data

51. Prohibits data that measures the academic performance of a student from being collected unless the data is specifically used to evaluate whether the student has met the conditions for promotion to the next grade level or high school graduation.
52. Prohibits personally identifiable data that is collected from being transmitted to any public or private person or entity other than the school district governing board or charter school governing body where the student is enrolled.
 - a. Exempts data that is not personally identifiable.
53. Prohibits collected academic performance data from being manipulated or altered.
54. Prohibits the Superintendent of Public Instruction, SBE, ADE and any other state entity that deals with education from:
 - a. Spending monies on the construction, enhancement or expansion of a statewide longitudinal data system designed to track students or compile personally identifiable student information, unless it is necessary for basic administrative purposes, academic evaluation of programs and student progress or for compliance with this act.
 - b. Sharing any personally identifiable student or teacher information with an entity outside of the state, excluding virtual, online or hard drive file storage hosted by a third party.
 - c. Sharing any personally identifiable student or teacher information with an entity that intends to use the information to develop commercial products or services or transfer the information to another entity to develop products or services.
 - d. Sharing any personally indefinable student or teacher information with any entity within the state unless it is an educational agency or an institution that expressly prohibits:
 - i. Using the information to develop commercial products or services or transferring the information to an entity to develop products or services; and
 - ii. Using the information for economic or workforce development planning.
 - e. Sharing any personally identifiable student or teacher information with ED unless the following apply.
 - i. The sharing of information is required to receive a federal education grant.
 - ii. The grant or program is authorized by federal law.
 - iii. ED agrees in writing to all of the following:
 1. To use the information only to evaluate the program or programs funded through the grant.
 2. To not use the information for any research unrelated to the grant, unless the teacher or parent or guardian of the student consents to that use in writing.
 3. To not share the information with any other governmental or private entity without the consent of the teacher or parent or guardian of the student.
 4. To destroy the information on completion of the evaluation of the program or programs funded by the grant.
55. Requires a grant recipient to notify the teacher or parent or guardian of a student of all of the following if ED requires that the grant recipient provide personally identifiable teacher or student information in a manner that is not authorized by this act.
 - a. That the grant recipient has been required to turn over the teacher's or student's information to ED;
 - b. That neither the grant recipient or any other entity or official will have control of the use or further sharing of the information; and
 - c. The contact information, including telephone numbers and e-mail addresses, of the ED official seeking the information.

HB 2190

AMENDMENTS

Committee on Education

1. The proposed strike-everything amendment was adopted.